

By: Israel

H.B. No. 3350

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the operation of vehicles transporting mobile cranes;
3 authorizing a fee.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 621.102(d), Transportation Code, is
6 amended to read as follows:

7 (d) A vehicle operating under a permit issued under Section
8 623.011, 623.071, 623.094, 623.121, 623.142, 623.181, 623.192,
9 623.212, ~~[or] 623.321, or 623.402 [as added by Chapter 1135 (H.B.~~
10 ~~2741), Acts of the 83rd Legislature, Regular Session, 2013,]~~ may
11 operate under the conditions authorized by the permit over a road
12 for which the executive director of the Texas Department of
13 Transportation has set a maximum weight under this section.

14 SECTION 2. Section 621.301(e), Transportation Code, is
15 amended to read as follows:

16 (e) A vehicle operating under a permit issued under Section
17 623.011, 623.071, 623.094, 623.121, 623.142, 623.181, 623.192,
18 623.212, ~~[or] 623.321, or 623.402 [as added by Chapter 1135 (H.B.~~
19 ~~2741), Acts of the 83rd Legislature, Regular Session, 2013,]~~ may
20 operate under the conditions authorized by the permit over a road
21 for which the commissioners court has set a maximum weight under
22 this section.

23 SECTION 3. Chapter 623, Transportation Code, is amended by
24 adding Subchapter U to read as follows:

SUBCHAPTER U. MOBILE CRANES

Sec. 623.401. DEFINITION. In this subchapter, "mobile crane" means a self-propelled vehicle that is:

(1) used solely to raise, shift, or lower heavy weights by means of a projecting, swinging mast with an engine for power on a chassis permanently constructed or assembled for that purpose; and

(2) designed to be moved between operating locations by transport over a roadway.

Sec. 623.402. PERMIT FOR VEHICLE TRANSPORTING MOBILE CRANE.

(a) The department shall issue a permit that authorizes the operation of a vehicle or combination of vehicles transporting a mobile crane at a gross weight that is not heavier than 100,000 pounds.

(b) Except as provided by Subsection (e), to qualify for a permit under this subchapter, a permit fee of \$1,000 must be paid.

(c) A permit issued under this subchapter:

(1) is valid for one year, except as provided by Subsection (e); and

(2) must be carried in the vehicle for which it is issued.

(d) A vehicle issued a permit under this subchapter may operate on a state, county, or municipal road, including a load-zoned county road or a frontage road adjacent to a federal interstate highway, if the vehicle displays a sticker required by Section 623.403 and does not exceed the maximum gross weight authorized under Subsection (a).

1 (e) The department may issue a permit under this subchapter
2 that is valid for a period of less than one year. The department
3 shall prorate the applicable fee required by Subsection (b) for a
4 permit issued under this subsection as necessary to reflect the
5 term of the permit.

6 Sec. 623.403. PERMIT STICKER. (a) When the department
7 issues a permit under this subchapter, the department shall issue a
8 sticker to be placed on the front windshield of the vehicle. The
9 department shall design the form of the sticker to aid in the
10 enforcement of weight limits for vehicles.

11 (b) The sticker must:

12 (1) indicate the expiration date of the permit; and

13 (2) be removed from the vehicle when:

14 (A) the permit for operation of the vehicle
15 expires;

16 (B) a lease of the vehicle expires; or

17 (C) the vehicle is sold.

18 Sec. 623.404. COUNTY DESIGNATION. The department by rule
19 shall require an applicant under this subchapter to designate in
20 the permit application the counties in which the applicant intends
21 to operate.

22 Sec. 623.405. DISTRIBUTION OF FEE. Of the fee collected
23 under this subchapter for a permit, 50 percent of the amount
24 collected shall be divided among and distributed to the counties
25 designated under Section 623.404 in permit applications according
26 to department rule.

27 Sec. 623.406. CERTAIN COUNTY OR MUNICIPAL ACTIONS

1 PROHIBITED. Unless otherwise provided by state or federal law, a
2 county or municipality may not require a permit, fee, or license for
3 the operation of a vehicle described by Section 623.402(a) in
4 addition to a permit, fee, or license required by state law.

5 Sec. 623.407. TIMES AND DAYS OF MOVEMENT. (a) Movement
6 authorized by a permit issued under this subchapter may be made on
7 any day, provided that in a county with a population of more than
8 300,000, movement may not be made between:

9 (1) 7 a.m. and 9 a.m.; and

10 (2) 4 p.m. and 6 p.m.

11 (b) The Texas Department of Transportation may limit the
12 hours for travel on certain routes because of heavy traffic
13 conditions.

14 (c) The Texas Department of Transportation shall publish
15 the limitation on movements prescribed by this section and the
16 limitations adopted under Subsection (b) and shall make the
17 publications available to the public. Each limitation adopted by
18 the Texas Department of Transportation must be made available to
19 the public before it takes effect.

20 Sec. 623.408. INTERSTATE AND DEFENSE HIGHWAYS. (a) This
21 subchapter does not authorize the operation on the national system
22 of interstate and defense highways in this state of a vehicle of a
23 size or weight greater than those permitted under 23 U.S.C. Section
24 127.

25 (b) If the United States authorizes the operation on the
26 national system of interstate and defense highways of a vehicle of a
27 size or weight greater than those permitted under 23 U.S.C. Section

1 127 on September 1, 2017, the new limit automatically takes effect
2 on the national system of interstate and defense highways in this
3 state.

4 SECTION 4. This Act takes effect September 1, 2017.